

Albert L. Wellman
March 7, 2001

California Regional Water Quality Control Board
North Coast Region

CEASE AND DESIST ORDER NO. R1-2001-##*
I.D. No. 1B84083OMEN

REQUIRING THE FORT BRAGG MUNICIPAL IMPROVEMENT DISTRICT NO. 1,
WASTEWATER TREATMENT FACILITY,
TO CEASE AND DESIST FROM DISCHARGING WASTE
CONTRARY TO REQUIREMENTS PRESCRIBED BY THE
NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD

Mendocino County

The California Regional Water Quality Control Board, North Coast Region, (hereinafter Regional Water Board) finds that:

1. On June 22, 1995, the Regional Water Board adopted Order No. 95-47, NPDES Permit No. CA0023078, Waste Discharge Requirements for the Fort Bragg Municipal Improvement District No. 1 (permittee), Fort Bragg Wastewater Treatment Facility (WWTF). The Order includes Effluent Limitations that must be met before treated wastewater from the Fort Bragg WWTF can be discharged to the Pacific Ocean. The NPDES permit was renewed on March 22, 2001 with the adoption of Order No. R1-2001-##*.
2. On January 23, 1997, the Regional Water Board found that the permittee was discharging waste in violation of Order No. 95-47. The Regional Water Board adopted Cease and Desist Order No. 97-2, requiring the permittee to repair a secondary biofilter on or before September 22, 1997. The biofilter was repaired; however, effluent quality did not improve to the extent of being in conformance with Order No. 95-47. The Regional Water Board adopted Cease and Desist Order No. 98-126 on December 10, 1998, rescinding Order No. 97-2 and requiring the permittee to submit an adequate report detailing proposed WWTF modifications with an implementation schedule to ensure consistent compliance with waste discharge requirements.
3. The permittee submitted the required report on February 26, 1999, proposing a time schedule for completing an evaluation to determine cost-effective infiltration/inflow reduction and for construction of treatment improvements. The proposed time schedule was based on projected adoption of revised waste discharge requirements by June 21, 2000. The time schedule included with this Order adjusts the permittee's proposed time schedule to reflect a delay of nine months in NPDES permit renewal.
4. Pursuant to Section 15321, Title 14, California Code of Regulations, and California Water Code Section 13389, this is an enforcement action to enforce an

NPDES permit for the protection of the environment and as such is exempt from the requirements of the California Environmental Quality Act (CEQA).

5. On March 22, 2001, after due notice to the discharger and all other affected persons, the Regional Water Board conducted a public hearing and evidence was received regarding this Cease and Desist Order.

THEREFORE, IT IS HEREBY ORDERED that Cease and Desist Order No. 98-126 is rescinded and the Fort Bragg Municipal Improvement District No. 1, Fort Bragg Wastewater Treatment Facility shall comply with the following time schedule:

<u>Task</u>	<u>Compliance Date</u> <u>Report of Compliance Due</u>
Authorize design of a cost-effective treatment facility improvement project	April 1, 2001
Submit conceptual design to Regional Water Board	June 1, 2001
Complete project design and submit to Regional Water Board	December 1, 2001
Commence CEQA process	October 1, 2001
Complete CEQA process	March 1, 2002
Advertise for construction bids	May 1, 2002
Award construction contract	June 1, 2002
Commence construction	July 1, 2002
Complete construction	September 1, 2003

Certification

I, Lee A. Michlin, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on March 22, 2001.

Lee A. Michlin
Executive Officer

* Number will be issued when adopted